

## WIDOW DEMANDS HER INSURANCE

She Charges Pacific Mutual With Trying to Evade an Honest Debt.

### IT PLEADS TECHNICALITY

INSURED FREIGHT CONDUCTOR AND THEN REFUSED TO PAY.

Charging that the Pacific Mutual Life Insurance company of California is seeking to evade the payment of a life insurance policy on technical and fraudulent grounds, Jessie D. Stephens, widow of William F. Stephens, yesterday brought suit against that concern to collect the policy in question, the face value of which is \$1,000.

Mrs. Stephens charges that in November, 1905, her husband, at the solicitation of one of the company's agents, took out the policy and paid the premium. Stephens was then a freight conductor on the San Pedro, Los Angeles & Salt Lake road.

Contained "Hazardous" Clause. In February Stephens was killed in an accident on the road, and the company refused to pay the policy because of the following clause in that document:

"Sec. 3. That no policy shall be valid if, during the first year following its date, I engage in any of the following hazardous occupations or employment—handling dynamo or live electric wires, blasting, mining, submarine labor, aeronautic ascensions, manufacture or handling of any highly explosive substance, service upon any railroad train or track as engineer, fireman, brakeman, freight conductor or trackman or in switching or in coupling or uncoupling cars, or as a seaman on any steam or other vessel unless written permission is first expressly granted by the company."

### Company Knew About It.

The complaint charges that, notwithstanding the fact that Stephens signed the policy containing this clause, the company knew when it issued the policy that he was engaged in one of the occupations enumerated therein. In fact, it is charged, it accepted from him an assignment in part of the wages due him from the railroad company in payment of his premium. The complaint declares that "by reason of its knowledge of the employment and occupation of said William F. Stephens at the time of his application, and at the time of the issuance, acceptance and delivery of said policy of insurance, and by reason of its acceptance of said premium and said assignment of the said wages of the said William F. Stephens and retention thereof with knowledge and notice of such employment, that said defendant has waived and is estopped from denying its liability upon said policy and claiming the benefits and advantages, if any there could be, accruing to it by reason of said above quoted part of said application for insurance."

Judgment in the full amount of the policy is asked for. Stephens & Smith are attorneys for the plaintiff.

### WOULD RESTRAIN DURAND.

Notorious Murray Justice Is Dragged Into Court Again.

E. W. Taylor and wife yesterday applied to the district court for a writ of prohibition restraining C. F. Durand, the notorious Murray Justice of the peace, from entering a judgment against them. The complaint alleges that Francis G. Luke, collection agent and plaintiff-in-chief, in Durand's court recently brought suit against them before Durand to collect a bill which, it is alleged, they owe one A. W. Hodgett. They appeared in Durand's court and, in accordance with the state law, demurred to the complaint on the ground that they do not live in Durand's precinct, that the debt was not contracted there, and that, accordingly, they cannot be sued before him. In defiance of the state law, they allege, Durand overruled their demurrer, and is about to enter judgment against

them. They, therefore, ask that he be restrained.

Owing to the absence of all the district judges from the city and county building yesterday no temporary restraining order was issued. It will probably be issued Monday.

### Court Notes.

Zion's Savings Bank & Trust company yesterday brought suit against Grant Bros. Livery & Transfer company to quiet title to part of lot 8, block 77, plat A.

Milando Pratt yesterday sued Louis Levine for \$11,394.50, which, he alleges, is due him as commission for sale of stock of the Bingham West Dip Tunnel company.

Caroline P. Thorstom yesterday petitioned for letters of administration on the estate of Andrew Thorstom, who died April 22, 1892, and who left an estate valued at \$3,600.

Corra Edna Chandler yesterday sued Henry B. Chandler for divorce. They were married in Denver, Colo., Oct. 5, 1898, and plaintiff charges that her husband has deserted her and refuses to support her.

The will of William Ray, who died July 12, 1906, was filed for probate in the district court yesterday. Deceased left an estate, according to the statement of his widow, valued at \$10,000 above all debts. The widow, Minerva Ray, is named in the will as executrix.

Zenira Alice Leonard has brought suit against Henry W. Leonard for divorce. They were married at Oakley, Utah, July 28, 1902, and the ground upon which the divorce is asked is non-support. They have one child, and the wife asks that its custody be awarded to her.

The Western Investment & Trust company yesterday sued the Rowe-Morris-Summerhays company for \$188, which plaintiff alleges is due for rent for land. The complaint charges that the defendant company leased the land over which to construct a spur track, and has neglected to pay the rent.

Ezra T. Stevenson yesterday petitioned the district court for letters of administration on the estate of Moroni Charles Stevenson, who died June 29, 1899, and Elizabeth J. Stevenson, who died April 25, 1906. The former left property valued at \$1,017 and the latter had an estate estimated to worth \$6,000.

UPPER FALLS RESORT open until October.

## NEW BOOKS FOR LIBRARY

Twenty-five Volumes Will Be Added to the Collection Tomorrow.

The following twenty-five volumes will be added to the public library tomorrow morning:

**Miscellaneous.**  
Audubon—"Western Journal."  
Bayne—"Perdita."  
Brace—"Heat and Light From Municipal Waste."  
Brewster—"Representative Essays on Style."  
Cladden—"Plain Thoughts on the Art of Living."  
Gordon—"Social Ideals of Alfred Tennyson."  
Grimshaw—"Shop Kinks."  
Hatch—"Administration of the American Revolutionary Army."  
Lathbury—"Balanced Life."  
McDonald—"Jacksonian Democracy."  
Minet and Waldo—"Production of Aluminum and Its Industrial Use."  
O'Shea—"Dynamic Factors in Education."  
Santayana—"Reason in Science."  
Schneider—"Electric Power Plants."  
Schneider—"Electric Instruments."  
Thwaites—"Early Western Travel. Volume 2."  
Thwaites—"France in America."  
Turner—"Rise of the New West."  
Wiggin—"Children's Rights."  
Wilson Co.—"Selected Articles on Direct Primaries."

**Fiction.**  
Harker—"Concerning Paul and Flammie."  
Kingsley—"Intellectual Miss Lamb."  
Lee—"Uncle William."  
Palmer—"Lacy of the Stars."  
Saunders—"Saints in Society."

### THE UTAH LITHOGRAPHING COMPANY

Have recently added a large new lithograph press to their plant at 46-47 Richards street, also four new and improved machines for their bindery. They have practically doubled their capacity and are in a position to handle all classes of lithographic work and to meet any legitimate competition. The only lithographing house between Denver and the coast.

For the best garden hose in town go to George G. Doyle & Co., 211 State street. Reliable plumbers.

Pure Linseed Oil Paints.  
Charles H. Bodel, 33 East First South.

## RECEIVER IS DEMANDED

Charges of Fraud Are Made in Complaint Against National Homeseekers' Concern.

Applications to have a receiver appointed for the National Homeseekers' association was made to the district court yesterday by I. Lederer. In his complaint he alleges that the association's business has been to sell fraudulent and fictitious contracts and to induce purchasers to contribute monthly large sums of money, much of which, it is claimed, has been withdrawn by the manipulators of the company under the pretense of paying expenses and creating a reserve fund. The plaintiff purchased a contract and has paid \$188 therefor.

The complaint alleges that the association has been adjudged insolvent by the courts of Colorado and a receiver appointed there. It charges that the local agents of the company hold \$2,200 worth of notes and mortgages, and plaintiff asks that a receiver be appointed to take charge of these for the benefit of the creditors. N. J. Sheckell, local agent of the company, declared last night that the company was solvent and would be able to meet all its obligations.

### In Self Defense

Major Hamm, editor and manager of the Constitutionalist, Eminence, Ky., when he was fiercely attacked four years ago by Piles, bought a box of Bucklen's Arnica Salve, of which he says: "It cured me in ten days, and no trouble since." Quickest healer of Burns, Sores, Cuts and Wounds. 25c at Z. C. M. I. Drug Department.

### EXPERT KODAK FINISHING.

Harry Shipley, Commercial Photographer, 151 Main street. Get my new price list.

For the best garden hose in town go to George G. Doyle & Co., 211 State street. Reliable plumbers.

Lovers of good beer will be glad to know that The Heidelberg has a direct importation of the famous German beers, "Munchner Hofbrau" and "Pilsener Burgerbrau." Heidelberg, now on draught. Karl H. Mayer.

## MONDAY'S SPECIAL!

Your Last Chance to Buy a Carriage or Go-cart at Actual Cost.

**\$2.00 Down,  
\$1.00 Per  
Week and  
Any Carriage  
in the House.  
50 Styles to  
Select From.**



**Just Like Cut,  
\$10.35.  
Phone Mail  
Orders  
Promptly  
Attended to.**

**P. W. Madsen's Furniture and Carpet Store**  
51-53-55-57 E. FIRST SOUTH

## Anderson Insurance Agency

HUGH ANDERSON, Pres. Established 1871. FRANK K. POE, Secy.  
168 South Main St., Salt Lake City.  
P. O. Box 977. Telephone 195.  
**Fire, Life and Accident**

**INSURANCE**  
Aetna of Hartford.....\$14,949.50  
Fireman's Fund, of California.....5,202.57  
Alliance of England.....52,656.13  
Franklin Fire, of Philadelphia.....8,088.37  
Citizens of Missouri (policies guaranteed by Hartford).....726.018

# THE FINAL CLEAN-UP SALE

Swings Into The Second Week With the Mightiest Bargains Ever Offered by Any Store in the City

## "The Paris"

**\$12.50 Tourist  
Coat at \$5.95**

This is a full length garment. Comes in fine quality Sicilian, colors blue and black. A pretty Traveling Coat.

THE Low Prices of our Store have spread like wildfire, and the Great Crowds that have responded bears evidence to the fact of THE GREAT BARGAINS OFFERED, and we ask you to MAKE US PROVE OUR STATEMENT. The items below are but a partial list of the MANY BIG BARGAINS THAT WILL BE ON SALE DURING THE WEEK. We have a great many items that we cannot advertise on account of small quantities, therefore, while attending the Sale during the week, cast your eyes on the SPECIAL BARGAIN TABLES.

## Every Item Will Average One-Half

## "The Paris"

**\$10 Black Silk  
Coats at \$5.95**

This is certainly a Big Bargain. It comes in the Taffeta or Peau de Soie. Silk yoke effect and pleated. Sizes 34 to 44.

**Children's Coats**  
ONE LOT OF CHILDREN'S COATS, sizes from one to three years, at.....69c  
ONE LOT CHILDREN'S COATS, White Pique, to close out at.....98c  
ONE LOT CHILDREN'S WHITE PIQUE COATS, to close at this final sale at.....\$1.39

**White Costumes**  
\$11.50 PRETTY SHEER LAWN, nicely trimmed, for.....\$7.95  
\$13.50 WHITE COSTUMES, nicely trimmed for.....\$8.95  
\$15.50 WHITE COSTUMES, nicely trimmed for.....\$9.95  
\$16.50 WHITE COSTUMES, nicely trimmed for.....\$10.95  
\$19.50 WHITE COSTUMES, nicely trimmed for.....\$11.95  
\$21.00 WHITE COSTUMES, nicely trimmed for.....\$14.95

And all others that are not mentioned have received the same attention by the price reducer as the above items have.

### Hosiery at Clearance Prices

CHILDREN'S SEAMLESS RIBBED HOSE, extra spliced heel and toe; fast black; sizes 5 to 9 1/2; regular 12 1/2c quality; three 25c  
CHILDREN'S EXTRA FINE QUALITY RIBBED HOSE, high spliced heel and toe; warranted fast black; regular 20c quality, per pair.....12c  
LADIES' FINE SEAMLESS HOSE, absolutely fast black; reinforced heel and toe; regular 20 quality, per pair.....12 1/2c  
LADIES' EXTRA FINE COTTON HOSE, warranted fast black; double heels and toes; best 25c Hose on the market; per pair.....17c  
LADIES' LACE LISLE HOSE, spliced heels and toes; silk finish, fast dyes; regular 30c value, per pair.....19c  
LADIES' FINE MACO COTTON HOSE, Hermèsdorf dye; guaranteed stainless; double soles, heels and toes; regular 40c quality, per pair.....30c  
The entire stock at Greatly Reduced Prices.

### White Shirt Waist Suits

One lot of WHITE SHIRT WAIST SUITS to clean up at.....\$1.75  
A pretty line of SHIRT WAIST SUITS, nicely trimmed, full length sleeves; at this final.....\$1.98  
An extra quality of fine INDIA LINON SHIRT WAIST SUITS, lace and embroidered trimmed, formerly sold for \$5.00 and \$6.00, at.....\$2.98

## Waists! Here They Are

WE want to inform you that this is the final Clean-Up Prices; but understand they are not on old picked-over lot of Waists. The Waists that we are offering are Waists that were secured by our New York buyer at about 50c on the dollar, therefore you get a nice, new, fresh lot at Final Clearance Prices.

300 Jap. Silk Waists, this sale at.....\$1.98  
\$2.75 Batiste Waists, fancy lace yoke, tucked and lace trimmed, colors blue, pink, lavender and seafoam \$1.69 green at.....\$1.69  
All our high grade Waists will besold at one-third and one-half prices.

A very pretty sheer lawn Waist—fancy embroidered front; fully worth one-third more—at this final clean-up sale.....\$1.48  
\$1.50 white sheer lawn Waist—embroidered front; three-fourths sleeve—clean-up price.....\$1.98

## MILLINERY PRICES THAT SPEAK LOUDER THAN WORDS

You will have to be here bright and early Monday to secure one of these bargains, so be up with the lark.

One lot Straw Shapes—all this season's styles; values up to \$1.00. Your choice.....10c	75 Ladies' Trimmed Hats—values up to \$4.00—your choice.....98 cts
One lot Milan Chip and Leghorn Shapes—values up to \$2.00—choice.....35c	150 Ladies' Trimmed Hats—values up to \$6.00—your choice.....\$1.95
One lot Ladies' and Misses' Ready-to-wear Hats—values up to \$3.50—choice at.....48c	100 Pattern Hats—values up to \$15.00—your choice.....\$3.95

**1000 Bunches of Flowers!**  
1,000 Bunches of flow-ers. All imaginable colors and varieties—worth up to \$1.00—your choice, the bunch.....25 cts

## MUSLIN Underwear!

Our reputation for giving the best values and the choicest selections in Muslin Underwear stands unquestioned.

\$1.50 MUSLIN GOWN, nicely trimmed, at.....98c  
\$1.50 MUSLIN SKIRT—deep flounce; embroidery trimming; extra full—at.....89c  
50c CORSET COVERS—embroidery edge and insertion—limited quantity—Monday only.....29c  
\$1.00 CHEMISE—made of soft quality of long cloth; lace edge and insertion trimmings; ribbon run.....65c  
\$1.00 DRAWERS—umbrella style, deep flounce effect; lace and insertion trimmed—Monday only, extra special at.....65c  
A VERY Dainty JAP SILK CORSET SLIP, all colors, lace trimmed, formerly sold for \$2.50—at this special clean-up sale, only.....98c

### Washable Gingham Petticoats

Come in the light and dark colors, striped, plain and checks, colors, pink, blue, gray.  
ONE LOT that formerly sold as high as \$1.00 and \$1.25, at.....48c  
ONE LOT that formerly sold for \$1.50 and up. Final clean up at.....79c

### Children's Dresses at Half

One lot of CHILDREN'S WASHABLE GINGHAM DRESSES at.....30c  
One lot of CHILDREN'S WASHABLE GINGHAM DRESSES at.....40c  
One lot of CHILDREN'S WASHABLE GINGHAM DRESSES at.....69c  
One line of CHILDREN'S WASHABLE GINGHAM DRESSES at.....98c  
Worth one-half more at this sale.  
One lot GINGHAM DRESSES, worth up to \$2.00 at.....\$1.19  
One lot GINGHAM DRESSES, worth up to \$4.50 at.....\$2.49  
One lot of WHITE LAWN DRESSES, nicely made up, at half regular prices.

### Final Clearance on Kimonos

All our fancy colored and plain long length Kimonos have been assorted in to four lots:  
Lot one, full length KIMONAS at.....89c  
Lot two, full length KIMONAS that sold for \$2.00 and \$2.25, at.....\$1.19  
Lot three, full length KIMONAS that sold for \$2.50, \$2.75 and \$3.00, at.....\$1.98  
Lot four, full length Kimonos that formerly sold for \$3.50 and \$4.00, at.....\$2.75

### Big Special in Wrappers

ONE LOT KRAPPERS will go on sale at.....48c  
ONE LOT OF DARK COLORED WRAPPERS, three different styles to select from, values as high as \$1.50 at this Final Sale.....79c  
ONE LOT WRAPPERS, nicely made up, extra full and wide, sold at \$1.75 and \$2.00 at this Final Clean up.....\$1.19  
ONE LOT GOOD QUALITY PERCALE and Gingham, formerly sold for \$2.00, at this sale.....\$1.39  
ONE LOT WRAPPERS, formerly sold at \$2.50, at this Final.....\$1.49  
ONE LOT WRAPPERS a regular to close out.....\$1.98

# "THE PARIS"